

SEP 29 2006

ATTORNEY DOCKET NO. 742429-8
Application No. 10/718,559

REMARKS

I. Status of the claims

Claims 1-9 are pending. Claims 1-7 have been amended for clarity purposes. New claims 8 and 9 represent preferred embodiments originally recited in claim 6. No new matter has been added.

II. Rejection under 35 U.S.C. § 112, second paragraph

The examiner has rejected claim 7 under 35 U.S.C. § 112, second paragraph as being indefinite. No further remarks were presented by the examiner in reference to this rejection. Applicants have amended claims 1-7 for clarity and submit that all pending claims meet the requirements of § 112, second paragraph. Accordingly, Applicants respectfully request that the examiner withdraw this rejection.

III. Rejection under 35 U.S.C. § 103(a)

The examiner has rejected claims 1-7 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,127,560 to Stidham et al. ("Stidham") in view of the article entitled, "Triglycerides-based diesel fuels," by Srivastava et al. ("Srivastava").

Applicants have amended claim 1 to recite a process for the preparation of biodiesel having a purification step that includes bubble washing. Support for this amendment may be found in the specification in original claim 6, on the last paragraph on page 3, and in the examples. As disclosed by Applicants on page 14 of the specification, bubble washing assists in achieving a high quality of the biodiesel.

Neither Stidham nor Srivastava teach or suggest the purification step using bubble washing. Stidham separates the glycerine from the crude fatty acid esterification products by settling, or other mechanical means such as gravity separation. See col. 6, lines 26-33 and claim 1(h). One skilled in the art would not consider bubble washing to be an "other mechanical means" of purifying, as disclosed in Stidham. Srivastava does not teach the use of any particular purification techniques, let alone bubble washing.

Because the references, taken alone or in combination, fail to disclose purification through bubble washing, the references do not teach or suggest Applicants' claimed invention. Accordingly, Applicants respectfully request that the examiner withdraw this rejection.

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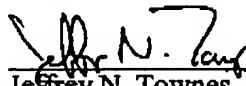
IV. Conclusion

Applicant respectfully requests reconsideration of this application in view of the above amendment and remarks.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 19-2380. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

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